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Sexual Harassment of Women in the American Work Place

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ABSTRACT

Sexual harassment is discrimination. As long as women are subjected to sexual harassment in the workplace, real opportunity for all people in the United States cannot exist. Sexual harassment costs industry money and efficiency. The Federal government and industry must have a comprehensive policy on sexual harassment which sends a clear signal that it will not be tolerated. All harassment complaints must be taken seriously and investigated by an independent party, and punishment must be given.

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ABSTRACT

Sexual harassment is discrimination. As long as women are subjected to sexual harassment in the workplace, real opportunity for all people in the United States cannot exist. Sexual harassment costs industry money and efficiency. The Federal government and industry must have a comprehensive policy on sexual harassment which sends a clear signal that it will not be tolerated. All harassment complaints must be taken seriously and investigated by an independent party, and punishment must be given.

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FOREWARD

To fully understand the subject of sexual harassment, the reader must note that sexual harassment is a "term of art," and therefore, has different meanings to different people. Because of this subjective aspect of sexual harassment, it is not enough that employees/employers simply know intellectually which behavior can constitute harassment. They must also be sensitive to how others might perceive their behavior.

CHAPTER ONE

INTRODUCTION

In 1979, the United States Office of Personnel Management issued a policy statement that defined sexual harassment as "deliberate or repeated unsolicited verbal comments, gestures, or physical contact of a sexual nature, which are unwelcome." In 1981 the Equal Employment Opportunity Commission (EEOC) wrote guidelines defining sexual harassment as a form of sex discrimination and therefore illegal under Title VII of the Civil Rights Act of 1964. Before these guidelines were published, the courts granted little protection to women who were victims of workplace sexual harassment. For example, the EEOC specified that conduct of a sexual nature could be considered sexual harassment if it created "an intimidating, hostile, or offensive working environment." Since these guidelines were issued, legal precedence has been set.

The most important legal case regarding sexual harassment was the Supreme Court ruling in Meritor Savings Bank vs. Vinson, June 1986. It was the first decision by the Supreme Court on a sexual harassment case. The decision made it clear that sexual harassment could result from a hostile working environment. The court found that sexual harassment carries with it an implied threat, whether

¹United States Merit Systems Protection Board, "Sexual Harassment In the Federal Government: An Update," June, 1980, p. 1.

²Ibid., p. 8

it be a job action from a supervisor or withheld cooperation from a co-worker. This case will be further discussed in Chapter Two.

The United States Merit Systems Board conducted two surveys on sexual harassment in the Federal government. The results of the surveys, one done in 1980 and the other in 1987 will be discussed in Chapter Three.

Due to many sexual harassment complaints, the Pentagon's civilian leadership became concerned about sexual harassment and discrimination in the military. In 1988 Secretary of Defense Frank C. Carlucci ordered a services-wide survey to determine the extent of sexual harassment in the military and the effectiveness of the programs to combat it. This study will be further discussed in Chapter Four.

Sexual harassment is not just a problem with the Federal government or the military. It is a problem in the American workplace as a whole, and as such it can not be ignored. Fortune 500 companies must deal with sexual harassment, too. Industries dealing with sexual harassment will be discussed in Chapter Five.

Sexual harassment must be stopped in order to have an efficient workplace. One obvious consequence of harassment is the emotional stress suffered by the victim and her family. This results in sick time. During the two year period from May 1985 through May 1987, sexual harassment cost the Federal government an estimated \$267 million.³ This is a conservative estimate and is derived by calculating the cost of replacing employees who leave

³Ibid., p.4.

Their jobs as a result of sexual harassment, and of paying sick leave to employees who miss work and of reduced individual productivity.

To reduce sexual harassment, employers such as the Federal government must develop and implement a comprehensive policy that sends a clear signal that sexual harassment is prohibited and will not be tolerated. The policy should define sexual harassment and provide examples of what may constitute such behavior. Employers must encourage employees who believe they are victims to express their complaints to management. There must be an effective formal grievance procedure. To maximize effectiveness, the procedure should designate an independent party to whom the victim can complain. All complaints must be taken seriously and investigated by a person independent of the alleged harasser. This must be done as quickly as possible and punishment must be given when sexual harassment has occurred.

CHAPTER TWO

COURT DECISIONS ON SEXUAL HARASSMENT

Sexual Harassment cannot be discussed intelligently without an understanding of several court decisions. The Supreme Court made an historic decision in 1986 with Meritor Savings Bank vs. Vinson.

Michelle Vinson was hired by Sidney Taylor, a branch manager of the bank to work as a teller trainee. Taylor was her supervisor. She worked for the bank for four years until she was discharged for excessive sick leave. Vinson sued Taylor and the Bank under Title VII, alleging that she had been the victim of sexual harassment by Taylor. During Vinson's first year on the job, Taylor invited her to dinner and suggested that they have sexual relations. After initially refusing this proposition, she agreed because she feared losing her job. Thereafter, Taylor made numerous demands for sexual favors, forcing Vinson to engage in sexual relations during and after business hours. Vinson estimated that she had intercourse with Taylor from 40 - 50 times during the following two years. In addition, Vinson testified that Taylor fondled her in front of other employees, followed her in the restroom when she was in there alone and exposed himself to her on various occasions. Vinson claimed she never reported the problem to any of Taylor's supervisors or used the bank's complaint procedure because she feared Taylor. Taylor denied Vinson's allegations of sexual activity and the bank denied knowledge,

nsent, or approval of any sexual harassment by Taylor.⁴

The United States Supreme Court decision made both history and headlines. The Court: held that the Civil Rights Act of 1964 is not limited to economic or tangible discrimination and found that the EEOC guidelines comprise proper guidance for courts and litigants; called attention to the EEOC guidelines that include "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature" as being conduct that violates Title VII, whether the injury is economic or noneconomic; held that environmental sexual harassment can violate Title VII if it is severe or pervasive enough to actually affect the alleged victim's work conditions or create a hostile environment. However, remarks that simply offend someone's feelings, but are not pervasive harassment creating a hostile environment, would not violate Title VII. The Supreme Court also expressed that even if the harassing conduct results in the alleged victim's voluntary (not forced against the will) participation in sexual intimacy, the harassment can violate Title VII.⁵ The key question is whether the sexual advances were unwelcome.

Since the Meritor vs. Vinson case, the lower federal courts have sought to apply its test to a host of different cases. An example is the case of Kerry Ellison and Sterling Gray. They worked twenty feet from each other at the Internal Revenue Service

⁴Clifford M. Koen, Jr., "Sexual Harassment Claims Stem from a Hostile Work Environment," Labor Relations, Aug 1990, pp.90-91.

⁵Ibid., p. 90.

office in San Mateo, California. One day in June 1986, they went to lunch. A few months later, Gray asked Ellison out for a drink and lunch. She declined. He then started writing her love letters. This frightened Ellison, and she filed a complaint alleging sexual harassment.⁶

A federal judge dismissed her case, calling Gray's conduct "isolated and genuinely trivial."⁷ In January, 1991 the 9th U. S. Circuit Court of Appeals in San Francisco reversed that ruling, saying that sexual harassment had to be viewed from the perspective of what a "reasonable woman" would find offensive. In short, men and women view situations in different ways. Judge Alex Kozinski stated "conduct that many men consider unobjectionable may offend many women" and "a reasonable woman could have had a similar reaction" to Ellison's.⁸

The above ruling is one of several recent decisions in which courts have struggled to define the line between acceptable workplace behavior and harmless flirtation.

In February 1991, a federal judge in Jacksonville, Florida upheld the sexual harassment claim of a female shipyard welder, and ruled that the pervasive posting of nude and pornographic pictures throughout the workplace created a hostile environment.⁹ One of

⁶Ruth Marcus, "Courts Strain to Define Sex Harassment," Washington Post, 19 Feb 91, p. A1.

⁷Ibid., p. A1

⁸Ibid., p. A4.

⁹Ibid., p. A4.

the pictures showed a nude woman's body with the words "U.S.D.A. Choice" printed on it.

Judge Howell W. Melton found that "a reasonable woman would find that the working environment was abusive."¹⁶ Pornography on an employer's wall or desk communicates a message about the way women are viewed.

Yet on February 6, 1991 Judge James C. Cacheris ruled in federal court in Alexandria, Virginia that the attention given Karen Kouri by her boss, James N. Todd, at a division of Arlington-based UNLICO Corporation (an insurance company) was "not unwelcome" and that Todd's actions did not violate the definitions of sexual harassment under Title VII of the Civil Rights Act.¹⁷ This is an example of the "shades of gray" involving sexual harassment cases.

Karen Kouri was trapped by a type of sexual harassment that falls far short of abusive language or nude pictures. There were no direct requests for sexual favors, or threats of reprisals. Instead her harassment came in the form of unwanted, embarrassing attention by Todd. Kouri thought that if she let Todd know she was happily married and focused on her job, the little notes and gifts he sent her would stop coming. She thought Todd would stop walking her to her car daily. When he did not, she complained to his superior and got no support. So after eight months she quit her

¹⁶Ibid., p. A4.

¹⁷Mark Potts, "No Sexual Harassment Ruled in UNLICO Case," Washington Post, 12 Feb 91, p. C1.

job¹²

Judge Cacheris said that there was no evidence Todd had directly asked Kouri for sex and that Kouri had not explicitly asked him to stop paying close attention to her, and that Kouri sent mixed signals. He determined that the attention Todd paid to her did not create an uncomfortable work environment. The judge found that Kouri's requests to Todd were not delivered with any sense of urgency, sincerity, or force.¹³

The confused state of the law appears to be a reflection of the difficult nature of the problem. Judges are increasingly called on make distinctions. Some courts have used the phrase "reasonable person" but clearly looking at the harassment from the woman's perspective. In Kouri's case it seems that Judge Cacheris really didn't try to think how vulnerable women are when their bosses start press them. This is so far beyond the experience of many male judges that they just cannot imagine what it would be like to be in that situation.

Victor Schachter, a San Francisco lawyer who represents employers, said he believes the 9th Circuit and Jacksonville rulings reflect a recent trend in which courts are going to be far more sensitive to how a reasonable woman is going to perceive this conduct, as distinct from the way a man would perceive it.¹⁴

¹²Sandra Sugawara, "Sexual Harassment: Troubling Shades of Gray," Washington Post, 24 Sept 90, p. 26.

¹³Ruth Marcus, "Courts Strain to Define Sex Harassment," Washington Post, 19 Feb 91, p. A4.

¹⁴Ibid., p. A4.

The number of sexual harassment claims is growing, primarily because women are increasingly willing to complain about what they perceive as sexual harassment. According to the EEOC figures, complaints of sexual harassment filed with the agency rose from 4,046 in fiscal year 1986 to 5,572 in 1990.¹³

¹³Ibid., p. A4.

CHAPTER THREE

SEXUAL HARASSMENT IN THE FEDERAL GOVERNMENT

The initial study of sexual harassment in the Federal Government was conducted by the United States Merit Systems Protection Board (MSPB) in 1980, with a final report in early 1981. It was a broad-scale survey of the attitudes and experiences of a representative cross-section of both self-identified victims and nonvictims within the Federal Government. In 1986, the Board requested a follow-up study. As part of this follow-up study, which was conducted in 1987, a questionnaire that replicated much of the original survey was used. This was done so the responses could be compared. The questionnaire was mailed to approximately 13,000 Federal employees. 8,523 persons responded to the survey.¹⁶

The findings of the study showed that coworkers were much more likely than supervisors to be the source of sexual harassment. In 1987, 69% of the female victims said they were harassed by a coworker. Only 29% of the female victims cited a supervisor as the source of their harassment.¹⁷

The study also found that certain individuals were likely to be the victims of sexual harassment. For example, women who: are single or recently divorced; are between the ages of 20-44; have nontraditional jobs; or work in a predominantly male environment

¹⁶United States Merit Systems Production board, "Sexual Harassment In the Federal Government: An Update,": June, 1980, p.1.

¹⁷Ibid., p. 3.

have a greater chance of being sexually harassed.¹⁸

It also noted that the victims tried to ignore the behavior or did nothing about it. When victims did take positive action in response to unwanted sexual attention, it was largely informal action and was judged to be ineffective. The most effective and frequent informal action was simply telling the harasser to stop.

Among the twenty-two largest Federal agencies surveyed, all had issued policy statements or other internal guidance concerning prohibition against sexual harassment from fiscal year 1980 to fiscal year 1987.¹⁹ Thus most of the employees were aware of their agency's policies in the 1987 survey.

The most frequently experienced type of uninvited sexual attention was "unwanted sexual teasing, jokes, remarks, or questions." The least frequently experienced type of harassment was "actual or attempted rape or assault."²⁰

There is evidence that some positive changes did occur between 1980 and 1987. More employees were aware that certain behaviors of a sexual nature can be both unwanted and inappropriate in the workplace. Employees were aware that sexual harassment is contrary to established agency policy. Despite these positive trends, the overall bottom line did not change. Uninvited and unwanted sexual attention was experienced by almost the identical proportion of the work force in 1987 as in 1980. Sexual harassment is still a

¹⁸Ibid., p. 3.

¹⁹Ibid., p. 3.

²⁰Ibid., p. 2.

pervasive, costly, and systemic problem in the Federal workplace.

Recommendations did come from the 1987 survey. The Merit Systems Protection Board recommended that all agency employees be periodically reminded of their responsibilities and held accountable for compliance with Federal law and agency policy prohibiting sexual harassment in the workplace. It also stated that sexually harassing behavior by any employee cannot and will not be tolerated in the workplace. And that all allegations would be handled quickly and thoroughly, and appropriate action taken.²¹

²¹Ibid., p. 4.

CHAPTER FOUR

SEXUAL HARASSMENT IN THE MILITARY

Defense Secretary Frank Carlucci, in 1988, mandated a survey of sex roles in the active-duty military. The survey was designed to focus on: the frequency of sexual harassment among the active duty military; the context, location, and circumstances in which sexual harassment occurs; and the effectiveness of current programs designed to prevent, reduce and eliminate sexual harassment.²² The survey was mailed to 38,000 active duty military. Approximately 20,400 responded. 76% of the officers responded and 54% of the enlisted personnel responded.²³

Respondents were not asked directly and explicitly about sexual harassment experiences, but rather asked about specific uninvited and unwanted sexual attention received at work. The term "sexual harassment" was used in the survey questionnaire only when asking respondents about policies and official actions. Consistent with Department of Defense policy, the language of this report calls reported experiences of uninvited and unwanted sexual talk and behavior, as perceived by respondents, sexual harassment.

There are limitations to this study. Since it was the first one to be conducted in the military environment, there is nothing with which to compare it. Also measuring sexual harassment is

²²Department of Defense, "1988 DOD Survey of Sex Roles in the Active-Duty Military, 1990, p. 1.

²³Ibid., p. 5.

problematic, generally lacking in standardized terms, and characterized by fluid definitions that vary between individuals. The topic is also emotionally charged for many people.

The questionnaire asked respondents who had experienced sexual harassment while on duty status during the year prior to the survey to select one experience which occurred, and answer questions about it. Most of the described experiences, involved individuals of the opposite sex acting alone. However, these individuals were most likely to be coworkers rather than supervisors. The majority of the victims took no formal action against the harasser. They were afraid of the negative outcomes of a formal complaint.

Sixty-four percent of the women responding reported some form of sexual harassment at work ranging from jokes to actual assault during the year prior to the survey. Sexual teasing, jokes, remarks and questions were the type of sexual harassment experienced by the largest portion (52%) of women. The type of sexual harassment that received the next-largest percentage (44%) was offensive stares, gestures, and body language. The third type was whistles, calls, and hoots.²⁴ The majority of victims were enlisted personnel with less than two years experience.

Military co-workers were the most frequently mentioned harassers of the victims' described experiences of sexual harassment. Most of the respondents had a positive view of the harassers chain of command, but they were not confident of the chain of command to deal effectively with sexual harassment.

²⁴ibid., p. 11.

The questionnaire asked all respondents what their perceptions were about the attitudes of military leaders toward sexual harassment. Although a large percentage of the females felt using the chain of command as an effective remedy for sexual harassment and had great faith in their leadership to stop this behavior, the majority had no personal knowledge of the remedies and penalties being provided. In sum, over half of all women respondents to the survey reported that both their senior service and installation leaders and their immediate supervisors make reasonable and honest efforts to stop sexual harassment, but they can state no instances when it happened.

The Department of Defense found that sexual harassment, sexually degrading comments and discrimination against women in the military workplace are widespread and will continue to present troubling problems for the military as increasing numbers of women move into jobs long previously reserved for men.

Despite efforts by the military in recent years to curb sexual harassment and discrimination, the problems remain widespread and the services' systems for reporting and resolving sexual harassment grievances frequently do not work.

Major General John A. Renner, the Army's Director of Military Personnel Management stated, "Sexual harassment certainly has not been stamped out."²⁵ Military officials say it is difficult to assess the magnitude of the problem. Until recently, none of the

²⁵Molly Moore, "Attitudes of Male-Oriented Culture Persist as Grievances Go Unreported," Washington Post, 25 Sept 89, p. A9.

services--Army, Navy, Air Force, Marine, and Coast Guard--kept comprehensive statistics on reports of sexual harassment and discrimination or records of how the cases were resolved.

The military maintains records on only a fraction of the cases, and the wildly varying numbers reveal the discrepancies in the services reporting systems. The Air Force, with 571,000 members, reported 331 cases of sexual harassment or discrimination in 1988, while the Navy with 575,000 people in uniform recorded 10 harassment cases, and the Army with 760,000 in uniform reported 197 cases.²⁶ These numbers are deceptively low and do not include hundreds of incidents handled at local bases and commands.

In addition to overt harassment and discrimination, women in all of the armed forces say a more insidious problem is the pervasive attitude of many servicemen that women do not belong in the military and are unwelcome.

Many military women dread new assignments where they are subjected to mean-spirited initiations and treated as sex objects rather than professional colleagues. "You know deep down that you aren't going to get support," states Commander Jill Usher, former chief of the Navy's equal opportunity office. "Either you pretend you don't hear it or you ignore it. I don't know how many women have gotten out of the service because they didn't develop survival techniques."²⁷

Critics as well as the military's own studies charge that the

²⁶Ibid., p. A9.

²⁷Ibid., p. A9.

armed forces are not doing enough to eliminate the problem. "The military is reluctant to either change its attitudes or to institute means to eliminate the harassment," charges Rep. Patricia Schroeder (D-Colorado) a member of the House Armed Services Committee and an outspoken advocate for military women.¹³ "Even if a woman in the military is not in a non-traditional job, just by her being in the military she is in a non-traditional profession," states Vicki Almquist, chair of the Women in the Military project of the Women's Equity Action League.¹⁴

The United States Naval Academy lags behind the Navy as a whole in integrating women into its ranks and combating sex discrimination. The Naval Academy was brought into the limelight in 1990, when Midshipman Gwen Breyer went public with her story of being handcuffed to a urinal. She resigned in May 1990, rather than continue being sexually harassed. An investigating committee looked into the allegations and recommended that sexual harassment must be made a distinct offense under the academy's conduct code, one punishable by expulsion.

The Navy also made headlines in 1990 when its large training center in Orlando, Florida had a rash of rapes, sexual assaults, and violations of "fraternization" rules. In an eighteen month period ending June 30, 1990, the Navy's Inspector General reported that there were at least six rapes of female students or recruits at the Orlando Naval Training Center, and the Navy had not

¹³Ibid., p. A9.

¹⁴Ibid., p. A9.

prosecuted any of those involved. In three of the sexual assault cases, the men involved were supervisors or instructors of the women. The Inspector General also found that many male company commanders used obscene sexual language to motivate the recruits. This form of sexual harassment is intimidating and demoralizing, and it sends the wrong signal to developing sailors that such behavior is acceptable.³⁰

Real Admiral Roberta L. Hazard headed a Navy study panel on sexual harassment that was released publicly on 3 April 1991. Her study found that sexual harassment is a pervasive problem throughout the Navy. The panel found that Navy policies designed to curtail sexual harassment and discrimination against women are enforced unevenly and are frequently misunderstood by both commanders and service personnel. The five-hundred page report expressed concern about a 55% increase in reported rapes and sexual assaults at naval bases in the past three years and criticized the Navy's investigative service for insensitive treatment of rape victims. The panel issued 150 recommendations for policy changes.³¹

³⁰Molly Moore, "Sex Harassment Called Pervasive in Navy," Washington Post, 4 April 91, p. A4.

³¹Ibid., p. A4.

CHAPTER FIVE

SEXUAL HARASSMENT IN THE CIVILIAN WORKPLACE

Sexual harassment is not just in the Federal government. It occurs in all places of employment. This includes the civilian sector as well. In September, 1990 a much publicized case developed concerning Lisa Olson, a sports reporter for the Boston Herald. The incident occurred while she was covering a New England Patriots football game. To do her interviews she had to go into the men's locker room. While in the locker room, three naked football players surrounded her and began making lewd and threatening gestures. She tried to continue her interview, but finally, shaken, she left the room.

Her ordeal was extreme, but other women have felt unnerved by sexually threatening behavior in the workplace. The expression of it may vary: an unwanted look; the unwelcome hand in the small of the back; the sexual innuendos that are repeated too frequently, despite assurances of "just kidding"; the blatant request for sexual favors; and finally, rape. Unfortunately, the number of women who have experienced this behavior at some point in their professional lives has reached an astounding amount.

The Lisa Olson case made front page news and embarrassed the National Football League. Commissioner Paul Tagliabue had to respond to it. He referred to the incident as misconduct, not sexual harassment. He stated that this was a "serious incident....behavior that is not acceptable and cannot be

tolerated."³² He then fined the three players and the team. Zeke Mowatt, who earns \$650,000 a year, was fined \$12,500. Michael Timpson, who earns \$140,000 a year, was fined \$5,000. And Robert Perryman, who earns \$140,000 a year was fined \$5,000. The Patriots, who realize \$33 million in television revenue alone, were fined \$50,000, half of which is to go toward preparing instructional material for all National Football League personnel on responsible dealings with the media.³³ Nobody was suspended. Lisa Olson was taken off the beat. The notoriety of the incident made it impossible for her to continue doing her job.

The Lisa Olson issue was not about a woman in a locker room. It was about sexual harassment in the workplace. She was in a "man's world." The incident was about aggression by men, against a woman, in an exercise of power that they would never try against another man.

Women face harassment and discrimination every day in all professions. None are exempt. For example, more than three-fourths of United Methodist clergywomen have experienced sexual harassment, often by other pastors or colleagues, according to a survey conducted by their religious denomination. Their study defined sexual harassment as "any sexually related behavior that is unwelcome, offensive, or which fails to respect the rights of

³²Tony Kornheiser, "Travesty in the Locker Room," Washington Post, 2 Dec 90, p. F1.

³³Ibid., p. F7.

others."³⁴ A list of unwanted sexual behavior included unsolicited suggestive looks or leers, pressure for dates, activities with a sexual overtone, and actual assault or rape. One clergywoman wrote, "The kinds of sexual harassment that disturbs me more are the actions of my brother clergy, who seem to offer unsolicited looks, touches, and comments to the attractive clergywomen fairly frequently."³⁵ Of the clergywomen reporting harassment, 70% said they did not take any formal action.³⁶

³⁴Religious News Service, "Women Clerics Find Sexual Harassment," Washington Post, 24 Sept 90, p. C12.

³⁵Ibid., p. C12.

³⁶Ibid., p. C12.

CHAPTER SIX

RECOMMENDATIONS/CONCLUSION

Sexual harassment became a serious legal issue in the early 1980's, just after the Equal Employment Opportunity Commission published its first guidelines. But it was the Supreme Court decision in Meritor Savings Bank vs. Vinson that became the watershed for sexual harassment. In Vinson, the Supreme Court found that employers must provide a working climate that is free of sexual harassment. Employers, thereby, could reduce their implied liability to harassment claims by implementing antiharassment policies and procedures in the workplace.

The goal of the Federal government, military and civilian employers is to create a climate where every employee feels clear about sexual boundaries and can expect that objectionable behavior will be stopped.

The recommendations to stop sexual harassment and create a non-threatening work environment are:

1. Develop a clear policy statement prohibiting sexual harassment.
2. Create guidelines to implement that policy.
3. Publicize the policy statement and grievance procedures.
4. Understand and make all parties understand the consequences of litigating a sexual harassment case.
5. Designate a key administrator to oversee and ensure compliance with laws relating to sexual harassment.

6. State clearly that sexually harassing behavior by any employee cannot and will not be tolerated.

7. Thoroughly and quickly investigate all allegations.

8. Punish sexual harassers.

The bottom line is that women must trust that formal actions will be productive. They must realize that reporting harassment will outweigh the consequences.

Finally, women do themselves and their careers no favors by playing victim. Sexual harassment is not about sex, it is about power. If women act powerless at work, they will almost certainly be taken advantage of. A woman's power is not in her ability to bring a sexual harassment claim, it's in her ability to succeed on her merits, and be able to say, "Back off, Bub" and mean it. As more and more women recognize this, sexual harassment will become less of a real problem in the years ahead.

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